

NB:MRM
F. #2020R00149

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

Case No. 20-M-208

ABRAHAM FINKLER,

(18 U.S.C. § 922(g)(1))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

KEVIN RUSSELL, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

On or about February 27, 2020, within the Eastern District of New York, the defendant ABRAHAM FINKLER, knowing that he had been previously convicted in a court of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting interstate or foreign commerce a firearm, as well as ammunition, to wit: a Benelli 12 gauge shotgun, Serial No. M705422.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI") and have been involved in the investigation of numerous cases involving the possession of contraband items in violation of federal law. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation. Where I describe the statements of others, I am doing so only in substance and in part.

2. On February 18, 2020, following an investigation into the possible possession of firearms, explosives and other contraband at residence of ABRAHAM FINKLER, located in Huntington, Suffolk County, New York, members of law enforcement applied for and received a search warrant authorizing the search of FINKLER's residence.

See Search Warrant 20-MJ-169, currently filed under seal.

3. On February 27, 2020, at approximately 10:19 a.m., members of law enforcement executed the search warrant on FINKLER's residence in Huntington, New York. During the course of the search of FINKLER's residence, members of law enforcement recovered the following items: Benelli 12 gauge shotgun, Serial No. M705422.

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

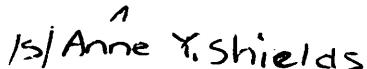
4. I have reviewed FINKLER's criminal history, which revealed an August 24, 2001 conviction in Nassau County, New York for Criminal Possession of a Loaded Firearm in the Third Degree, a Class D violent felony under New York Penal Law Section 265.02(4) for which he was sentenced on December 13, 2001 to time served and five years' probation. The review of FINKLER's criminal history further revealed a March 2, 2007 conviction in Nassau County, New York for Possession of Explosives without a License, a Class D felony under New York Labor Law Section 458 for which he was sentenced on June 29, 2007 to 90 days' jail and five years' probation.

5. I have conferred with an Interstate Nexus expert with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, who has informed me, in substance and in part, that the recovered firearm, a Benelli 12 gauge shotgun, Serial No. M705422, was manufactured outside the state of New York.

WHEREFORE, your deponent respectfully requests an arrest warrant for the defendant ABRAHAM FINKLER so that he may be dealt with according to law.


KEVIN RUSSELL
Special Agent
United States Department of Homeland Security,
Homeland Security Investigations

Sworn to before me this
28th day of February, 2020



THE HONORABLE ANNE Y. SHIELDS
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK